

House Bill 1541

By: Representatives Coan of the 101st and Reese of the 98th

A BILL TO BE ENTITLED

AN ACT

To amend Code Section 13-8-2 of the Official Code of Georgia Annotated, relating to contracts contravening public policy generally, so as to provide that any contract of insurance which provides for indemnification against liability for damages arising out of bodily injury to persons or damage to property caused by a promisee or indemnitee in connection with a contract or agreement relative to the construction, alteration, repair, or maintenance of a building structure, appurtenances, and appliances is against public policy, void, and unenforceable; provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 13-8-2 of the Official Code of Georgia Annotated, relating to contracts contravening public policy generally, is amended by striking subsection (b) and inserting in its place a new subsection (b) to read as follows:

"(b) A covenant, promise, agreement, or understanding in or in connection with or collateral to a contract or agreement relative to the construction, alteration, repair, or maintenance of a building structure, appurtenances, and appliances, including moving, demolition, and excavating connected therewith, purporting to indemnify or hold harmless the promisee against liability for damages arising out of bodily injury to persons or damage to property caused by or resulting from the sole negligence of the promisee, his or her agents or employees, or indemnitee, or any contract of insurance which purports to provide for such indemnification or holding harmless of the promisee, is against public policy and is void and unenforceable; ~~provided that this subsection shall not affect the validity of any insurance contract, workers' compensation, or agreement issued by an admitted insurer.~~"

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.